

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erin Anderson	Team: Team # 5	CCRB Case #: 200508432	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/22/2005 5:45 PM	Location of Incident: In front of § 87(2)(b)	Precinct: 105	18 Mo. SOL 1/22/2007	EO SOL 1/22/2007	
Date/Time CV Reported Sat, 07/23/2005 5:38 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sat, 07/23/2005 5:38 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Anthony Salato	24592	926403	105 PCT
2. Officers			

Officer(s)	Allegation	Investigator Recommendation
A.POM Anthony Salato	Abuse: PO Anthony Salato stopped and questioned § 87(2)(b) outside of § 87(2)(b) in Queens.	
B.POM Anthony Salato	Force: PO Anthony Salato struck § 87(2)(b) with a vehicle outside of § 87(2)(b) in Queens.	
C.POM Anthony Salato	Discourtesy: PO Anthony Salato acted rudely toward § 87(2)(b) outside of § 87(2)(b) in Queens.	
D.POM Anthony Salato	Abuse: PO Anthony Salato searched § 87(2)(b)'s property outside of § 87(2)(b) in Queens.	
E.POM Anthony Salato	Discourtesy: PO Anthony Salato spoke obscenely and/or rudely to § 87(2)(b) outside of § 87(2)(b) in Queens.	
F.POM Anthony Salato	Abuse: PO Anthony Salato frisked § 87(2)(b) outside of § 87(2)(b) in Queens.	
G.POM Anthony Salato	Force: PO Anthony Salato used physical force against § 87(2)(b) outside of § 87(2)(b) in Queens.	
H.POM Anthony Salato	Abuse: PO Anthony Salato threatened § 87(2)(b) with the use of force outside of § 87(2)(b) in Queens.	
I.POM Anthony Salato	Abuse: PO Anthony Salato entered the location, a private home on 211th Place in Queens.	
J. Officers	Abuse: Officers entered the location, a private home on 211th Place in Queens.	
K.POM Anthony Salato	Force: PO Anthony Salato used physical force against § 87(2)(b) inside a private home on 211th Place in Queens.	
L. Officers	Force: Officers used physical force against § 87(2)(b) inside a private home on 211th Place in Queens.	
M.POM Anthony Salato	Force: PO Anthony Salato used pepper spray against § 87(2)(b) inside a private home on 211th Place in Queens.	
N.POM Anthony Salato	Abuse: PO Anthony Salato did not obtain medical treatment for § 87(2)(b) inside the 105th Precinct in Queens.	

Officer(s)	Allegation	Investigator Recommendation
O. Officers	Abuse: Officers did not obtain medical treatment for § 87(2)(b) inside the 105th Precinct in Queens.	

## Synopsis

On July 23, 2005, § 87(2)(b) called the CCRB to file a complaint on behalf of her son, § 87(2)(b). She left a message on the CCRB's call processing system. On July 25, 2005, § 87(2)(b) also filed a complaint with IAB regarding this incident, IAB log #05-21514. From July 25, 2005 through August 2, 2005 IAB Group 54 completed various investigative steps in an attempt to view a video that § 87(2)(b) had in her possession, which captured the incident between § 87(2)(b) and the police. On August 2, 2005 IAB Group 54 reviewed the tape and found that it showed no evidence of police misconduct. IAB Group 54 forwarded their material, tapes of phone conversations with § 87(2)(b) and her attorney, § 87(2)(b), as well as investigative actions, to the CCRB. The investigator received the IAB material on September 8, 2005.

It should be noted that § 87(2)(b) § 87(2) is the mother of § 87(2)(b) and § 87(2)(b).

On July 17, 2005, § 87(2)(b) allegedly shot two NYPD officers when they were called to Hollis Church in Queens because § 87(2)(b) was defacing a statue of the Virgin Mary and St. Ann, located in front of the church. When the two officers arrived at the location, § 87(2)(b) allegedly ran at them with a shotgun, and fired several shots, hitting one officer in the head and in the back eight times and the other officer in the leg five times. Because of § 87(2)(b)'s highly publicized arrest, § 87(2)(b)'s subsequent arrest received media coverage in the § 87(2)(b). As a result, this case has been labeled sensitive by the CCRB.

The investigator spoke with § 87(2)(b) over the phone on August 1, 2005. § 87(2)(b) stated that on July 22, 2005 at approximately 4:45pm he called his producer § 87(2)(b) and arranged to meet him on § 87(2)(b) in Queens. § 87(2)(b) was at his home on 217<sup>th</sup> Street at the time and walked to 216<sup>th</sup> Street where he met some friends that gave him a ride to 211<sup>th</sup> Street. When he arrived at § 87(2)(b) home on § 87(2)(b), he stood outside, talking with some friends. They noticed five marked and three unmarked police vehicles at the end of the block. They observed officers come from those vehicles and walk into his friend Russell's house, also located on 211<sup>th</sup> Street. § 87(2)(b) observed PO Anthony Salato of the 105<sup>th</sup> Precinct walking into § 87(2)(b) house. He knew PO Salato because he had an incident with him in September of 2004. § 87(2)(b) previously filed a complaint with the CCRB regarding this incident, CCRB case # § 87(2)(b).

§ 87(2)(b) observed PO Salato get into a marked police vehicle and took down the license plate number, § 87(2)(b). § 87(2)(b) stated that it was the same vehicle that had almost run him over two nights earlier, though PO Salato was not the operator at the time. Once PO Salato got into the car he drove over to where § 87(2)(b) was standing with his friends and said to § 87(2)(b) "Say something." He also told § 87(2)(b)'s friends to "take a walk." § 87(2)(b) began to walk away and PO Salato told him that he could stay. PO Salato then swerved his vehicle so that one of the side mirrors hit § 87(2)(b). PO Salato then got out of the car and stepped on § 87(2)(b)'s bagged lunch that he was carrying. He then kicked the lunch under the car. He then began looking through § 87(2)(b)'s school bag and told § 87(2)(b) "Put your fucking hands on the fucking car." § 87(2)(b) complied and PO Salato spread his legs and squeezed his testicles. He then pulled his pants up very high. He picked up the school bag and shoved it into § 87(2)(b)'s chest.

§ 87(2)(b) began walking away with a friend and PO Salato yelled to § 87(2)(b) "How's your brother? Heard he was fucked and wasn't going to walk again." § 87(2)(b) responded that his brother was stable and that he had not heard that he wasn't going to walk again. PO Salato then stated, "If that was my partner, you would be dead." § 87(2)(b) then walked into his friend, § 87(2)(b) home. PO Salato followed him in, accompanied by approximately four other officers and threw § 87(2)(b) to the ground. PO Salato punched § 87(2)(b) in the face and an unidentified officer kicked him between the legs. § 87(2)(b) also received kicks to the head and body. PO Salato pepper sprayed § 87(2)(b) in the eyes and mouth. The officers then placed handcuffs on him and walked him outside. One of § 87(2)(b)'s friends video taped the entire incident and PO Salato realized this while he was escorting § 87(2)(b) outside of § 87(2)(b) home. As a result, PO Salato continuously stated, "Stop resisting arrest," to § 87(2)(b) was placed in a marked police vehicle and one of the officers began driving.

En route, § 87(2)(b) told PO Salato, "I don't hate you." PO Salato responded, "That's the difference between you and me. You and your brother are one." PO Salato asked § 87(2)(b) about the video that he and his brother produced, which § 87(2)(b) informed the investigator includes anti-government and anti-police officer material. When they arrived at the 105<sup>th</sup> Precinct, PO Salato slammed § 87(2)(b) against the exterior wall of the precinct and announced to everyone within range that he was § 87(2)(b)'s brother.

Inside the precinct he said to other officers, "Look who I have, § 87(2)(b)'s brother." § 87(2)(b) was placed into a cell and asked to remove his shirt and pants. PO Salato took several pictures of § 87(2)(b). § 87(2)(b) requested medical attention from PO Salato as well as several other officers and no one provided him with it. § 87(2)(b), § 87(2)(e), § 87(2)(f)

He remained in the 105<sup>th</sup> Precinct from 6pm on July 22<sup>nd</sup> until 4:30am the next morning, when he was taken to § 87(2)(b) Hospital. He was at the hospital from § 87(2)(b). He informed medical personnel at the hospital that he was bipolar and needed medication, but he was not provided with any kind of medication until a doctor at § 87(2)(b) saw him. That doctor gave him 250mg of some kind of acid. § 87(2)(b) was released from § 87(2)(b) on § 87(2)(b).

On July 27, 2005, the investigator first spoke with § 87(2)(b) who stated that her son, § 87(2)(b) had just been released from jail. The investigator briefly spoke with § 87(2)(b) and was disconnected several times. After several attempts to contact § 87(2)(b) the investigator did not speak with him again until August 1, 2005. On this date, § 87(2)(b) provided the investigator with a detailed account of what happened over the phone. § 87(2)(b) informed the investigator that he was unable to schedule an appointment at that time because he needed to set up psychiatric appointments before he could schedule something with the CCRB. On August 3, 2005, the investigator called § 87(2)(b) again and he was still unable to schedule an appointment. On August 5, 2005, the investigator called § 87(2)(b) and scheduled an appointment with him for August 9, 2005. § 87(2)(b) did not appear for this appointment and did not call to cancel. § 87(2)(b), § 87(2)(b) called the investigator two hours after the interview was scheduled and stated that she and § 87(2)(b) wanted to delay the interview because she was afraid of retaliation. The investigator rescheduled an appointment with § 87(2)(b) for August 23, 2005. The investigator informed § 87(2)(b) and her son that they could not continue to delay the interview following the scheduled appointment on the 23<sup>rd</sup>. On August 23, 2005, § 87(2)(b) failed to appear for his interview at the CCRB. He did not call to cancel the interview. On August 31, 2005, the investigator mailed § 87(2)(b) a missed appointment letter and contacted him via telephone. An interview was scheduled for September 6, 2005. The investigator again informed § 87(2)(b) that he could not continue to delay the investigation by missing scheduled appointments and that the investigator would not be able to proceed unless § 87(2)(b) appeared for his interview. On September 6, 2005, § 87(2)(b) missed his third scheduled interview and he did not call to cancel the appointment.

§ 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: